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OFFICE OF PETITIONS

In re Application of :
Tang, et al. :
Application No. 10/784,917 : ON PETITION
Filed: June 17, 2004 :
Attorney Docket No. 034536-1150 :

This is a decision on the request for reconsideration of petition under 37 CFR 1.182, filed October 4, 2004, to supply omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application.

The application was submitted on February 24, 2004. However, on May 18, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice To File Missing Parts Of Nonprovisional Application" (Notice) that stated the application had been accorded a filing date, and that Figure(s) 2 (sheet 6 of 30), as described in the specification, appear to have been omitted. The Notice also stated the filing date would be the date of receipt of the omitted Figure.

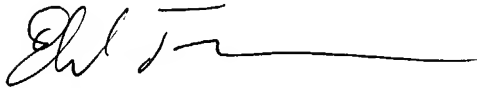
In response, on June 17, 2004, the original petition was submitted. Petitioner stated, "transmitted herewith is Figure 2, Sheet 6 of 30 which was inadvertently omitted with the filing of the above-identified application." The Figure was, in fact, received by the Office on June 17, 2004, as indicated by the postcard receipt, submitted on October 4, 2004.¹

¹ It is noted that petitioner states, "Figure 2, Sheet 6 of 30 was originally filed with the U.S. Patent & Trademark Office in parent application Serial No. 08/915,366, filed 08/20/1997, and, therefore, a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to said sheet is not required. No new matter has been added to Figure 2, Sheet 6 of 30."

The petition is granted. As stated in the Notice, and in view of the above, the application will be processed with a filing date of June 17, 2004, the date of submission of the omitted item.

This application is being forwarded to the Office of Initial Patent Examination for issuance of a corrected filing receipt with a filing date of June 17, 2004.

Telephone inquiries should be directed to the undersigned at (571)272-3228.

A handwritten signature in black ink, appearing to read 'Ed J. Tannouse', followed by a long horizontal line.

Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office